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REMARKS

Status Summary

Claims 1-33 are pending in the present application. Claims 1-15 and 24-28 are allowed. Claims 16-23 presently stand rejected. Claims 29-33 presently stand objected to. Claims 1, 16-23, and 29 have been amended by the present amendment. New Claims 34-38 are added by the present amendment. Therefore, upon entry of Amendment A, Claims 1-38 will remain pending in the subject patent application.

Abstract

The Examiner states that the application does not contain an abstract of the disclosure as required by 37 CFR § 1.72(b). An abstract on a separate sheet is enclosed herewith. No new matter has been added.

Claim Objections

The Examiner has objected to Claim 29 under 37 CFR § 1.72(c) based on the contention that Claim 29 is in improper form because a multiple dependent claim should refer to other claims in the alternative only. Applicants amended Claim 29 by removing the reference to "the product of Claim 24" so that the multiple dependency of the claim has been removed. Applicants incorporated the subject matter of "the product of Claim 24" into new Claims 34-

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38, discussed further hereinbelow. Applicants respectfully submit that the objection to Claim 29 has been overcome by applicants' amendment.

Further, the Examiner has objected to Claims 30-33 as being dependent upon an objected to base claim. Applicants submit that objected to Claim 29 has now been amended so as to overcome the objection and therefore Claims 30-33 are also allowable since they depend from Claim 29 and merely add additional limitations thereto.

In sum, applicants have addressed all issues raised by the Examiner regarding Claims 24 and 30 – 33 and submit that the objections have been overcome by applicants' amendments as set forth herein, and therefore request formal withdrawal of the objections to Claims 24 and 30 – 33.

Claim Rejections – 35 U.S.C. § 112

Claims 16-23 stand rejected by the Examiner under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner contends that the variable Q is not defined in Claim 16. Preliminarily, applicants note that the variable "Q" is merely intended to be an abbreviation for the term "quaternized nitrogen derivatives" recited in Claim 16. By way of a clarifying amendment, applicants amended Claim 16 by striking the commas setting off the variable "Q" and enclosing "Q" in parentheses to particularly point out and distinctly claim the subject matter disclosed in the

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instant application. Support for this amendment can be found on page 14, line 4, of the Published PCT Application No. WO 01/25339 A1 [hereinafter the “‘339 Published PCT Application’”], which is the parent PCT application to the instant application. For example, page 14, line 4, of the ‘339 Published PCT Application provides that “[s]uitable quaternized nitrogen derivatives for use herein can be represented by Q+.” Applicants therefore respectfully request that the rejection of Claim 16 under 35 U.S.C. § 112, second paragraph, be withdrawn and Claim 16 be allowed at this time.

The Examiner also contends that the variables L, Z, Y and X are not defined in Claim 17. In response to the Examiner’s comments, by way of a clarifying, non-limiting amendment, applicants amended Claim 17 to recite definitions of the variables L, Z, Y and X. Support for these amendments can be found on page 8, lines 1-4, and on pages 9 and 10 of the ‘339 Published PCT Application and Claim 1 of the application as filed. Applicants submit that the 35 U.S.C. § 112, second paragraph, rejection to Claim 17 has been overcome by this amendment. Applicants therefore respectfully request that the rejection of Claim 17 under 35 U.S.C. § 112, second paragraph, be withdrawn and Claim 17 be allowed at this time.

Further, the Examiner contends that Claims 18-23 provide for the use of a compound according to Claim 1, but since the claim does not set forth any steps involved in the method/process, it is unclear what method/process applicant is intending to encompass.

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In response to the Examiner's comments, by way of a clarifying, non-limiting amendment, applicants amended Claims 18-23 in accordance with § 2173.05(q) of the MPEP to set forth a step, e.g., contacting a substrate with a compound involved in the process. Support for these amendments can be found on pages 25 and 26 and in Examples 5 and 6 of the '339 Published PCT Application. Applicants submit that Claims 18-23 as amended particularly point out and distinctly claim the subject matter disclosed in the instant application. Applicants therefore respectfully request that the rejection of Claims 18-23 under 35 U.S.C. § 112, second paragraph, be withdrawn and Claims 18-23 be allowed at this time.

In sum, applicants have addressed all issues raised by the Examiner with regard to Claims 16 – 23 and submit that the 35 U.S.C. § 112 rejections have been overcome by applicants' amendments as set forth herein, and therefore request formal withdrawal of the rejections to Claims 16 – 23.

Claim Rejections – 35 U.S.C. § 101

Claims 18-23 stand rejected by the Examiner under 35 U.S.C. § 101 based on the contention that the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. § 101.

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In response to the Examiner's comments, by way of a clarifying, non-limiting amendment, applicants amended Claims 18-23 in accordance with § 2173.05(q) of the MPEP to set forth a step, e.g., contacting a substrate with a compound involved in the process. Support for these amendments can be found on pages 25 and 26 and in Examples 5 and 6 of the '339 Published PCT Application. Applicants submit that Claims 18-23 as amended are proper process claims under 35 U.S.C. § 101. Applicants therefore respectfully request that the rejection of Claims 18-23 under 35 U.S.C. § 101 be withdrawn and Claims 18-23 be allowed at this time.

In sum, applicants have addressed all issues raised by the Examiner with regard to Claims 18 – 23 and submit that the 35 U.S.C. § 101 rejections have been overcome by applicants' amendments as set forth herein, and therefore request formal withdrawal of the rejections to Claims 18 – 23.

New Claims

As discussed hereinabove, the following new claims have been added by the present amendment.

New Claim 34, which represents original independent Claim 29 rewritten to refer to "the product of Claim 24" only.

New Claim 35, which represents original dependent Claim 30 rewritten to depend from new Claim 34.

New Claim 36, which represents original dependent Claim 31 rewritten to depend from new Claim 34.

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New Claim 37, which represents original dependent Claim 32 rewritten to depend from new Claim 34.

New Claim 38, which represents original dependent Claim 33 rewritten to depend from new Claim 34.

Support for new Claims 34-38 can be found in original Claims 29-33 of the application as filed. No new matter is considered to have been added by new Claims 34-38. Applicants submit that new Claims 34-38 are in condition for allowance and respectfully request formal allowance of these claims.

Allowed Claims

Finally, applicants wish to thank the Examiner for indicating in the Official Action that Claims 1-15 and 24-28 are allowable over the prior art of record.

Power of Attorney

Applicants call the Examiner's attention to the fact that applicants submitted a Revocation and Substitution of Power of Attorney on October 21, 2003 to the U.S. Patent and Trademark Office, and a copy as filed is attached hereto.

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CONCLUSION

In light of the above amendments and remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above remarks, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: 12-9-03

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297/183/10 PCT/US

REJ/EEM/JWC/cht

Customer No: 25297

Abstract

A reactive dye compound comprising:

- (a) at least one chromophore moiety;
- (b) at least one nitrogen-containing heterocycle
- (c) a linking group to link each chromophore moiety to each nitrogen-containing heterocycle;

characterized in that at least one nitrogen-containing heterocycle is substituted with at least one Y group wherein Y is derived from a hydrated aldehyde, a hydrated ketone, a hydrated alpha-hydroxy ketone, or the hydrated form of formic acid and linked via one of its oxygen atoms to the nitrogen-containing heterocycle thereby forming a hemiacetal.

The compounds herein have high Exhaustion Values (E), high Fixation Values (F) and high Efficiency Values (T) and show significant improvements in terms of reducing spent dyestuff in effluent, increasing dye affinity to the substrate, increasing the dye-substrate covalent bonding, increasing the ability to dye substrates at room temperature, decreasing the amount of dye that is removed during the post dyeing "soaping off process" and therefore simplifying the post dyeing "soaping off process" traditionally associated with dyeing cotton with fibre reactive dyes and reduction of staining of adjacent white fabrics. In addition, the compounds prepared above provide more intense dyeings and require less levels of salt for dyeing cotton substrates.